

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 28, 2002

D039301 People v. Sandoval

Upon filing an abandonment of appeal, the appeal is dismissed.

D039581 In re Stovall on Habeas Corpus

The petition is denied.

D036816 Miller v. Applegate

The petition for rehearing is denied.

Cause called on merits.

Present: The Honorable Richard Huffman, Acting Presiding Justice, and The Honorable Associate Justices Alex McDonald and Judith McConnell

Clerk: D. E. Moore

D039556 Dwayne P., et al. v. Superior Court/San Diego County Health and Human Services Agency

Matter called on merits. Kathleen Murphy Mallinger, Esq. argued for petitioner. Erica Hiramatsu, Esq. argued for the mother. David Casey, Deputy County Counsel argued for real party in interest. Ms. Mallinger replied. Ms. Hiramatsu replied. Matter submitted.

Court adjourned at 2:50 p.m.

D035947 Smith et al. v. San Dieguito Union High School District et al.

The judgments are affirmed. Kremer, P.J.; We Concur: Benke, J., Haller, J.

D039018 People v. Logan

The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D039870 In re McGee on Habeas Corpus

The petition is denied.

D040156 Hopson v. The Superior Court of San Diego County/The People

The petition is denied.

D037685 People v. Armein

The judgment is affirmed. McDonald, J.; We Concur: Haller, Acting P.J., McConnell, J.

D039776 In re Hasan on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 29, 2002

D039680 Kovacic v. Windsor Gardens of Golden Hill

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.

D040027 Alicia L. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Alicia L. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D039964 Ana A. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Ana A. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D039806 Michelle B. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Michelle B. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D040011 Chiarelli v. Luce, Forward, Hamilton & Scripps, LLP, et al.

Pursuant to California Rules of Court, rule 8, the appeal filed April 12, 2002, is dismissed for appellant's failure to timely designate the record.

D037326 Cundieff/The Home Depot USA, Inc. v. W. T. Billard, Inc., et al.

The judgment is affirmed. Billard to pay costs on appeal. O'Rourke, J.; We Concur: Haller, Acting P.J., McDonald, J.

D038239 Jensen v. Imperial Unified School District et al.

The order is affirmed. O'Rourke, J.; We Concur: Haller, Acting P.J., McConnell, J.

D036986 Massachusetts Mutual Life Insurance Company v. The Superior Court of San Diego County/Karges, Jr. et al.

Petitioner seeks modification of the court's opinion by way of a pleading styled as a petition for rehearing. Otherwise than as indicated below, the petition is denied. (No change in judgment.)

D037886 J.G. Wentworth SSC Limited v. McMullen

The order partially denying Wentworth's motion for an assignment order is reversed, and the court is directed to enter an order granting that motion, limited to annuity payments payable to McMullen through February 2009. Appellant is to recover its costs on appeal. Nares, J.; We Concur: Kremer, P.J., McDonald, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 29, 2002 (Continued)

D036328 People v. Bowie

The judgment is affirmed. Kremer, P.J.; We Concur: Benke, J., Huffman, J.

D038064 San Diego Gas & Electric Company v. Public Utilities Commission of the State of California/City of San Diego et al.,

The motion for stay is granted. Writ proceedings are stayed until further order of this court. The parties are to provide this court with monthly status letters beginning July 1, 2002. Petitioner's request for judicial notice is granted.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 30, 2002

D037789 People v. Tiebout

The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D038948 People v. Baldwin

Judgment affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D039588 People v. Hughes

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately.

D040200 King v. Superior Court of San Diego County/Rancho Santa Fe Association.

The petition is denied.

D037151 Pacific Millennium Trading Corporation v. Colliers Iloff Thorn et al.

D037741 Pacific Millennium Trading Corporation v. Colliers Iloff Thorn et al.

(Consolidated) The judgment is reversed. Pacific's appeal of the postjudgment order denying its motion for attorney fees as the prevailing party under Civil Code section 1717 is dismissed as moot. Colliers is awarded costs on appeal. McConnell, J.; We Concur: McIntyre, Acting P.J., O'Rourke, J.

D039994 Eugenia O. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Eugenia O. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D038121 Cunningham v. Universal Underwriters

The opinion filed April 30, 2002, is ordered certified for publication.

D036538 People v. Fowler

Judgment affirmed. Haller, J.; We Concur: Kremer, P.J., Benke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 31, 2002

D039816 Cooper et al. v. Chapman University

Upon written request filed by appellants Sean Cooper, Christian Santos, Lawrence J. Germano III, Keefe Roberts, Jay Siegel, Tony Ta Liu, Timothy James Kral, Stephen Edward Rasmussen, Stephanie Paige Lasko, Wendi Edelman, Kelly White, Jason Song, Payam Derakhshan, Thomas B. Donohoe, Robert James Wright, Michael Zuccato, Christine Chong, Rasha Zielinski, Hinh Nguyen, Richard Quintilone II, Lynn Conant and Chad Gerald, their appeals are dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)). Pursuant to the stipulation filed May 29, 2002, each side to bear their own costs.

D037591 Saffro v Elite Racing, Inc.

The petition for rehearing is denied. The request for depublication is denied.

D039966 Vega-Roberts v. De Assis et al.

Pursuant to California Rules of Court, rule 8, the appeal filed April 2, 2002, is dismissed for appellant's failure to timely designate the record (Cal. Rules of Court, rules 4(a) and 5(a)).

D038450 People v. Nottingham

The conviction is affirmed. The sentence is reversed and the matter is remanded. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D038574 People v. Parks

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D038492 In re the Marriage of Vilaboy

Upon written request filed by the appellant, the appeal is dismissed.